

REMARKS

Applicants' representative wishes to thank Examiner Pedder for the courtesy extended during the personal interview conducted January 12, 2005. A separate record of the substance of the interview is included in the remarks which follow.

Claims 1-32 remain in this application. Reconsideration of the application is requested.

The claim amendments appearing above are made after consideration of the comments provided by the Examiner in section 2 on page 2 of the Office Action. As mentioned during the interview, antecedent basis for the term in claim 18 referred to by the Examiner does in fact appear in claim 2. All claims in this application now comply with the requirements of 35 U.S.C. §112, second paragraph.

Antecedent basis for the subject matter of claim 22 is incorporated above into specification paragraph 20.

Withdrawal of the objection to the drawings set forth in section 4 on pages 2-3 of the Office Action is in order in view of the drawing amendments referred to above, by which Figures 1 and 2 are modified in the manner discussed during the interview.

The indication that certain claims contain allowable subject matter provided in sections 10 and 11 on page 5 of the Office Action is acknowledged

DRAWING AMENDMENTS

Please amend Figures 1, 2, and 5 by replacing the drawing sheets including those figures with the replacement drawing sheets appended to this Reply. Also appended to this Reply are copies of the original drawing sheets showing, in red, the changes made to Figures 1, 2, and 5.

with appreciation. It is respectfully submitted, however, that all of the claims presently in this application are allowable for reasons discussed below.

Each of independent claims 1, 21, 31, and 32 is rejected under 35 U.S.C. §103(a), along with various dependent claims, as unpatentable over British publication 1162627 to Porsche. Reconsideration is requested. As discussed during the interview, it is respectfully submitted that the roof forming the subject matter of the Porsche publication does not include a first fixing device and a second fixing device as claims 1, 21, 31, and 32 define. In section 7 on page 4 of the Office Action, the Examiner identifies edge 16 of the Porsche roof as a first fixing device and depending pin 42 of the Porsche roof as a second fixing device. Edge 16 and pin 42, however, do not constitute first and second fixing devices arranged offset with respect to one another in a vertical direction as claims 1, 21, 31, and 32 require. Nothing in the disclosure provided by the Porsche publication, moreover, suggests that either the edge 16 or the pin 42 is "engaged" or "caused to engage" by movement of the roof 7 as claims 1, 21, 31, and 32 particularly require. Withdrawal of the rejection of these claims based on the Porsche publication is in order and is respectfully requested.

U.S. Patent 3,476,437 to Schroeder et al. is relied on in combination with the Porsche publication to reject dependent claims 6 and 27. However, the top forming the subject matter of the Schroeder et al. patent shows only one fixing device which is formed by a cylindrical receiving device on a windshield frame and a pin of the roof engaging in the receiving device. German publication G 94 06 435.0 to von Fuener et al., similarly, is relied on in combination with the

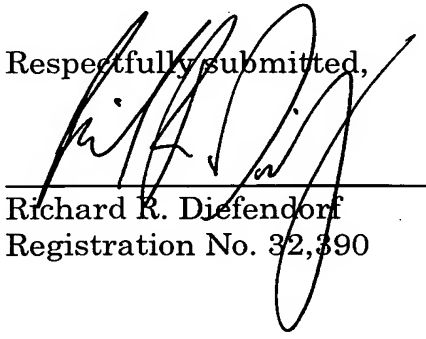
Application No. 10/716,942
Reply to Office Action dated October 14, 2004

Porsche publication to reject claim 30. The von Fuener et al. publication relates to a roof with two roof halves fitted together in a longitudinal center plane, which roof halves are held in position at the windshield frame only by way of a locking device. The von Fuener et al. locking device is provided with a turning handle which, in a closed position, reaches by means of a nose under a tensioning ramp of an interior lining. Neither of these secondary references suggests modifying the roof forming the subject matter of the Porsche publication relied on such that the limitations of claims 1, 21, 31, and 32 discussed above are met. It follows, therefore, that claims 1, 21, 31, and 32 as they appear above are patentable. The rest of the claims in this application are dependent claims and are patentable as well.

This application is now in condition for allowance. Should the Examiner have any questions after considering this Reply, the Examiner is invited to telephone the undersigned attorney.

January 14, 2005

Respectfully submitted,

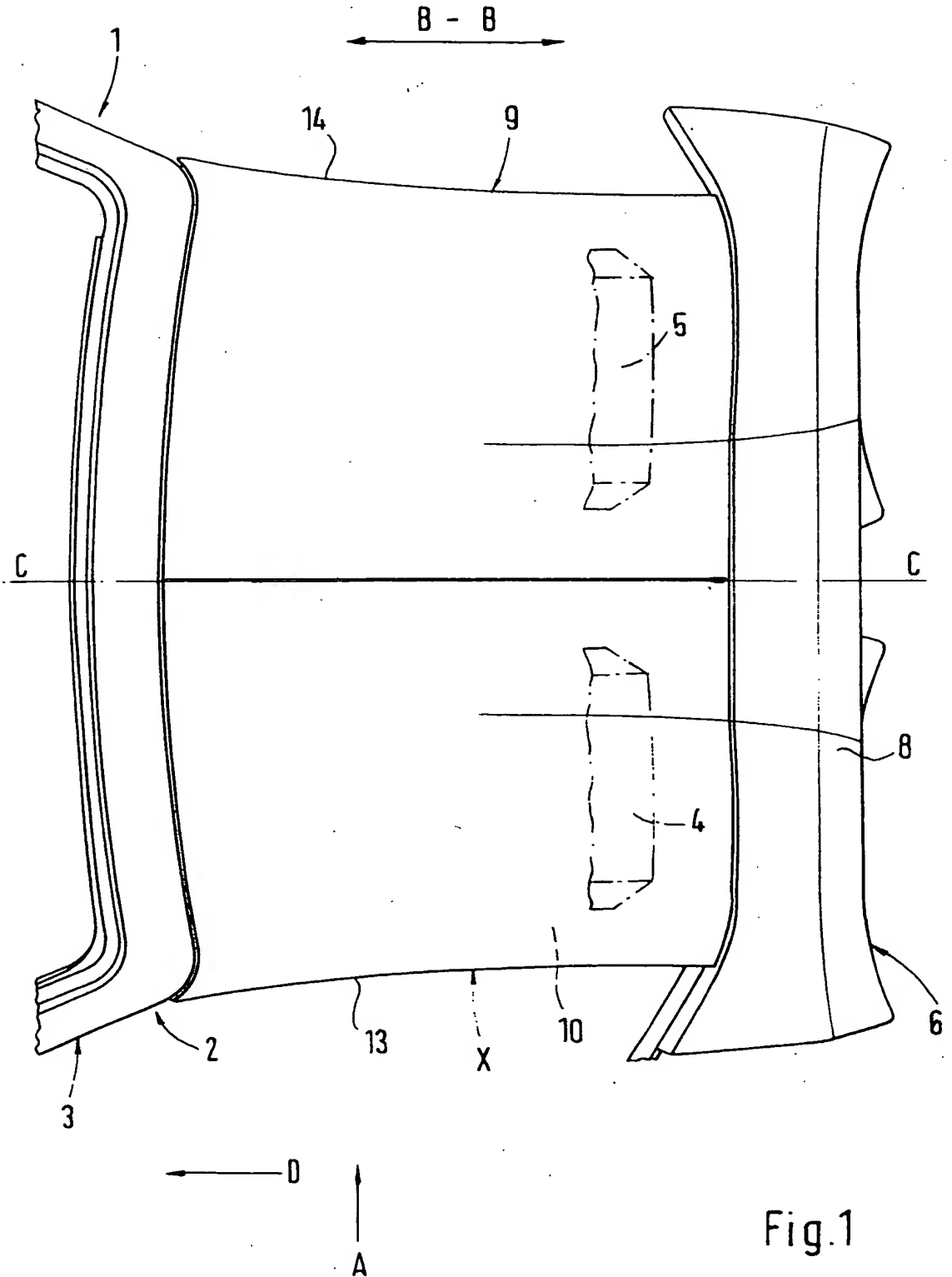


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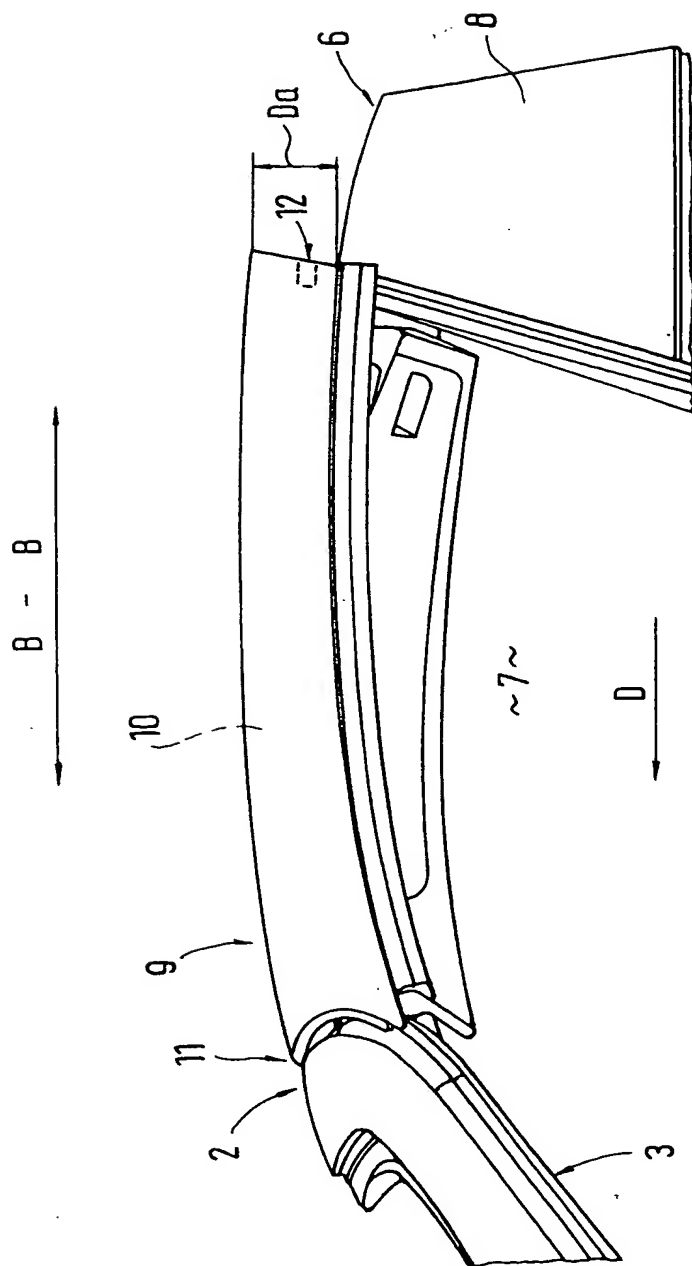
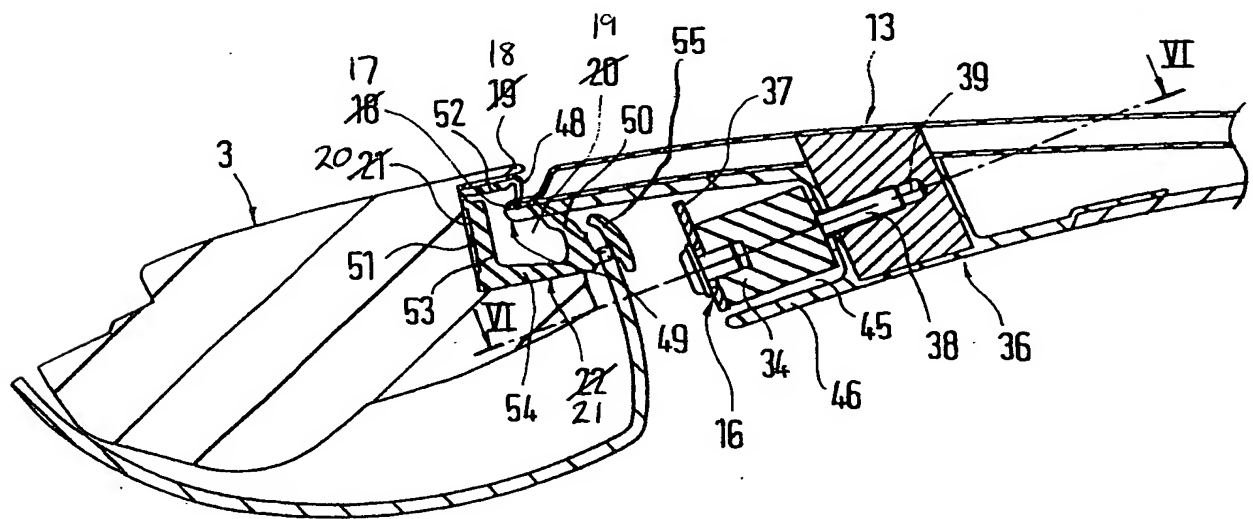
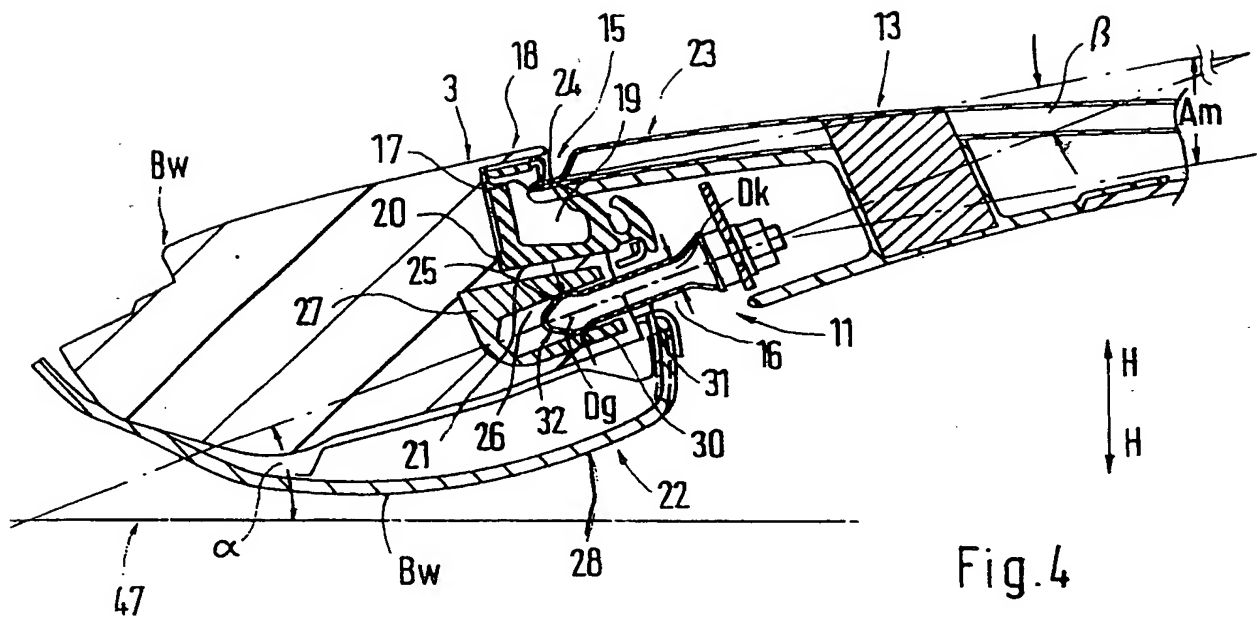


Fig. 2



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